

# **Interview Summary**

**Application No.**

09/326,244

**Applicant(s)**

HOCHMAN, DARYL W.

**Examiner**

Marjorie A. Moran

**Art Unit**

1631

All participants (applicant, applicant's representative, PTO personnel):

(1) Marjorie A. Moran.

(3) \_\_\_\_\_.

(2) Janet Sleath.

(4) \_\_\_\_\_.

Date of Interview: 9/26 and 9/30/02.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 17 and 18.

Identification of prior art discussed: MASHBERG.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

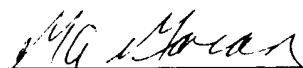
Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☒ It is not necessary for applicant to provide a separate record of the substance of the interview(if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: the examiner suggested some amendments to render the claims free of the prior art and to avoid rejections under 35 USC 112, 2nd. Ms. Sleath agreed to the examiner's suggestions. However, upon further search, the examiner determined that her suggested amendments were NOT free of the prior art. The prior art of MASHBERG teaches a method of identifying a dye which distinguishes malignant tissue in an intact viable organism. A copy of MASHBERG will be included with the next office action. The examiner sincerely apologizes for her oversight, and stated that no examiner's amendment would be made, and that the next office action would be an election of species requirement.